

# OFFICE OF THE ATTORNEY GENERAL



*Examiner of  
Public Accounts*

80-00078

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STATE OF ALABAMA

NOV 21 1979

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*This opinion has  
been modified by  
80-00145.*

Honorable William W. Dillard, Jr.  
Chief Examiner  
Examiners of Public Accounts  
Montgomery, Alabama 36130

Bullock County - Funds -  
Elections

Amendment 128 concerning Bullock  
County requires each action  
undertaken under the amendment  
to be approved by voters of the  
county.

Dear Mr. Dillard:

Reference is made to your request for the opinion of  
the Attorney General as to the following matter:

"I would very much appreciate an  
opinion from your office regarding  
Amendment No. 128 to the Constitu-  
tion of Alabama 1901. Amendment  
128, supra, gives Bullock County  
the authority to enter into cer-  
tain projects which would other-  
wise be prohibited by the Constitu-  
tion of Alabama 1901 and many acts  
of the Alabama Legislature. My  
specific question is whether or  
not the residents of Bullock County  
must vote on each project before  
such project is undertaken. . . ."

Honorable William W. Dillard, Jr.  
Chief Examiner  
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Your question is to be answered in the affirmative.

The opening statement to Amendment 128 to the Constitution of Alabama, 1901 states:

"Any provision of the Constitution or laws of the state of Alabama to the contrary notwithstanding, Bullock county shall have full and continuing power and authority to do any one or more of the following, provided that such action is first approved by a majority of the qualified electors of the county who vote at an election held for such purpose."


It is the opinion of the Attorney General that the above provision clearly requires the voters of Bullock County to vote on each project to be undertaken under this amendment before the project is performed.

Because many of the actions listed in Amendment 128 are in direct derogation to the Constitution and laws of this State, it is the obvious intent of the Legislature to require the voters of that county to approve each action before it is undertaken.

If our office can be of further assistance, please do not hesitate to call on us.

Sincerely,

CHARLES A. GRADDICK  
Attorney General  
By -

  
LYNDA F. KNIGHT  
Assistant Attorney General

LFK;mj